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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,160	05/25/2000	Ricard Roma i Dalfo	MS#149599.1/40062.64US01	6964
23552	7590	07/27/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			MIRZA, ADNAN M	
			ART UNIT	PAPER NUMBER
			2145	
DATE MAILED: 07/27/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/579,160

Applicant(s)

ROMA I DALFO ET AL.

Examiner

Adnan M. Mirza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-37 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

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**-DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hara et al (U.S. 6,199,111) and Ote et al (U.S. 6,199,180).

As per claims 1,16,33-35 Hara disclosed a machine automation system for automating control of a client machine under control of a server process (col. 4, lines 28-39), the system comprising: a predefined machine automation server object adapted to execute in the server process (col. 5, lines 23-29); a predefined machine automation client object class adapted to execute on the client machine in communication with the machine automation server object (col. 4, lines 50-55 & col. 5, lines 36-40).

However Hara did not disclose in details the predefined machine automation client object class comprises one or more machine automation client objects for executing testing methods on the client machine. A machine automation control module instantiating a machine automation server object of the machine automation server object class in the server process and instructing the machine automation server object to instantiate one of the machine automation client object of

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the machine - automation client object on the client machine to control operation of the client machine.

In the same field of endeavor Ote disclosed the manager 242 is a management unit used when it is connected to the computer to be managed by the remote access functions, and it may be of identical configuration to that of the manager (col. 5, lines 27-30). The system down of the computer to be managed is detected and it is informed to the automatic fault monitoring controller. The automatic fault monitoring computer 27 by the asynchronous communication controller 1213 by the previously registered telephone number to inform the system down to the automatic fault information reception means of the SVP manager. The automatic fault information reception means displays the system down message of the computer to be managed to inform it to the user (col. 9, lines 15-24).

It would have to one having ordinary skill in the art at the time the invention was made to have incorporated the system down of the computer to be managed is detected and it is informed to the automatic fault monitoring controller. The automatic fault monitoring computer 27 by the asynchronous communication controller 1213 by the previously registered telephone number to inform the system down to the automatic fault information reception means of the SVP manager. The automatic fault information reception means displays the system down message of the computer to be managed to inform it to the user as taught by OTE in the method of Hara to increase the management of the computers connected to the LAN or WAN.

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3. As per claims 2,17 Hara-Ote disclosed a machine identifier identifying the client machine on which the machine automation client object is to be instantiated (Hara, col. 7, lines 33-40 & col. 6, lines 33-40); and a machine identifier source providing the machine identifier to the machine automation server object to initiate instantiation of the machine automation client object on the client machine (Hara, col. 9, lines 11-19).

4. As per claims 3,18 Hara-Ote wherein the machine automation server object includes a shutdown server object executing in the server process of a server machine, the machine automation client object includes a shutdown client object executing in a client process of the client machine (Ote, col. 6, lines 22-44), and the machine automation control module instructs the shutdown server object to cause the shutdown client object to reboot the client machine and to re-establish communications with the shutdown client object via a communications mechanism after rebooting of the client machine completes (Ote, col. 9, lines 11-24 & col. 9, lines 35-44).

5. As per claims 4,19 Hara-Ote disclosed wherein the machine automation control module continues execution after rebooting of the client machine completes (Ote, col. 9, lines 11-24).

6. As per claims 5,20 Hara-Ote disclosed a timeout field of the machine automation server object for storing a timeout value specifying an amount of time the machine automation server object waits to return control to the machine automation control module after rebooting of the client machine completes (Ote, col. 12, lines 63-67 & col. 13, lines 1-17).

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7. As per claims 6,21 Hara-Ote disclosed wherein the machine automation control module continues execution after the shutdown server object causes the shutdown client object to reboot the client machine and before rebooting of the client machine completes (Ote, col. 9, lines 15-24).

8. As per claims 7,22,25 Hara-Ote disclosed wherein the machine automation server object includes a shutdown server object executing in the server process of a server machine, the machine automation client object includes a shutdown client object executing in a client process of the client machine (Ote, col. 6, lines 25-44), and the machine automation control module instructs the shutdown server object to cause the shutdown client object to log off of the client machine and to re-log in to the client machine using a predetermined user name without rebooting (Ote, col. 8, lines 9-21).

9. As per claims 8,23 Hara-Ote disclosed wherein the predetermined user name is recorded in a system registry of the client machine and read from the system registry by the machine automation client object to re-log in to the client machine (Ote, col. 8, lines 1-7).

10. As per claims 9,24 has the same limitation as to claim 7 except the re-log in to the machine after rebooting completes as been disclosed by (Ote, col. 8, lines 45-51).

11. As per claims 10,26 has the same limitations as to claim 8 therefore under the same limitations claims 10,26 can be rejected.

12. As per claims 11,27 Hara-Ote disclosed wherein the machine automation control module instructs the machine automation server object to cause the machine automation client object to return system information about the client machine to the machine automation server object (Ote, col. 9, lines 15-24).

13. As per claims 12-13,28-29 Hara-Ote disclosed wherein the machine automation control module instructs the machine automation server object to cause the machine automation client object to return to the machine automation server object a snapshot of a system registry of the client machine (Ote, col. 9, lines 15-36).

14. As per claims 14,30-31 Hara-Ote disclosed wherein the machine automation control module instructs the machine automation server object to cause the machine automation client object to install an application on the client machine (Ote, col. 12, lines 13-29).

15. As per claims 15,32,36-37 Hara-Ote disclosed further comprising: a first machine identifier received by the machine automation server object identifying the client machine; another machine automation server object adapted to execute in the server process (Hara, col. 4, lines 50-65); a second machine identifier received by said another machine automation server object identifying another client machine; and another machine automation client object identified by the second machine identifier and adapted to execute on said another client machine

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in communication with said another machine automation server object via a communications mechanism (Hara, col. 6, lines 40-60).

Applicant's arguments are as follows:

16. Applicant argued that prior art did not disclose initiating a server object in the same server process as a control module.

As to applicant's arguments Hara disclosed the power controller controls the power unit controls the power unit to immediately turn on the power. On the other hand, for the power-off request, the power controller temporarily sends the power -off request to the agent through the SVP driver. The agent issues a system shutdown request to the network, and after the system is shutdown, sends the power off request to the power controller of the SVP board through the SVP (col. 6, lines 24-43). One ordinary skill in the art at the time of the invention can interpret the power controller as control module that controls the initiation of the server object or the computer system.

17. Applicant argued that prior did not disclose instructing the server object to initiate a client object on the client machine.

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As to applicant's argument Ote disclosed the present power time controller sends the power-off request to the agent through the SVP driver. The agent issues the system shut-down request to the network OS, and after the system has been shut down, it sends the power-on request to the power controller of the SVP board through the SVP driver (Ote, col. 8, lines 32-46).

18. Applicant argued that prior art did not disclose object controlling client machines with each client object initiated over a connection mechanism by a server object.

As to applicant's argument Ote disclosed for the automatic operation in the disk and controlling the automatic operation of the computer to be managed in accordance with the schedule and the numeral denotes shutdown means for issuing shutdown request to the network OS in response to power off request (col. 11, lines 49-54).

19. Applicant argued that prior art did not disclose, "The predefined machine automation client object class comprises one or more machine automation client objects for executing testing methods on the client machine".

As to applicant's argument Ote disclosed, "the manager 242 is a management unit used when it is connected to the computer to be managed by the remote access functions, and it may be of identical configuration to that of the manager (col. 5, lines 27-33).

***Conclusion***

**19. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

**20.** Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

**21.** The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin Wallace can be reached on (571)-272-6159. The fax for this group is (703)-746-7239.

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22. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

23. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4<sup>th</sup> Floor Receptionist, Crystal Park II,  
2021 Crystal Drive, Arlington, VA 22202.

*AM*

Adnan Mirza

Examiner

*[Signature]*  
JAN CARLOS  
Primary Ex 2145